

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2147 - HB 2301

March 10, 2022

SUMMARY OF BILL: Creates a rebuttable presumption that a law enforcement officer (LEO) who suffers a health condition or impairment as a result of exposure to and contraction of an infectious disease is presumed to have a disability suffered in the line of duty, unless shown by a preponderance of the evidence.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- This legislation will require an affected LEO to file an incident or accident report with the worker's employer of each known or suspected occupational exposure to an infectious disease, which includes:
 - The human immunodeficiency virus;
 - Hepatitis C virus; and
 - A virus or other communicable disease for which:
 - A pandemic has been declared by the World Health Organization or the federal centers for disease control and prevention; and
 - The governor has declared a state of emergency.
- Pursuant to Tenn. Code Ann. § 7-51-209(g), this presumption does not apply to the Tennessee Consolidated Retirement System.
- Pursuant to Tenn. Code Ann. § 7-51-209(h), this presumption only applies to an emergency service worker following termination of service for a period of one year commencing with the last actual date of service.
- Pursuant to Tenn. Code Ann. § 7-51-209(i)-(j), this presumption does not apply to cases involving the death of a LEO in the line of duty or the state death benefit.
- Pursuant to Tenn. Code Ann. § 7-51-209(k), this presumption does not apply to full-time or part-time instructors of the Department of Commerce and Insurance.
- All worker's compensation claims by emergency rescue workers will be paid by local governments as employers.
- According to the Bureau of Workers' Compensation (BWC), this legislation is estimated to have no significant impact on the Bureau, as the Bureau reports that workers' compensation claims are generally beyond the purview of the workers' compensation, unless a city or county opts into workers' compensation law, and most have not.

- Based on information by the Bureau of Workers' Compensation, any impact on the Bureau can be handled within existing resources without an increase in expenditures.
- This legislation may result in additional claims against insurance policies held by local governments
- Any increase claims will result in increased premium payments by those enrolled in such policy.
- Any increase in expenditures by local government, as a direct result of this legislation, is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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